

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

RICHARD WAYNE TAYLOR,

Case No. 08-CV-5776 (PJS/SRN)

Petitioner,

v.

ORDER

STATE OF MINNESOTA,

Respondent.

Richard Wayne Taylor, pro se.

Mark Nathan Lystig, RAMSEY COUNTY ATTORNEY'S OFFICE, for respondent.

This matter is before the Court on the objection of petitioner Richard Wayne Taylor to the January 9, 2009 Report and Recommendation ("R&R") of Magistrate Judge Susan R. Nelson. Judge Nelson recommends dismissing Taylor's petition as untimely under 28 U.S.C. § 2244(d). The Court has reviewed de novo those portions of the R&R to which Taylor has objected, as required by 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). The Court overrules Taylor's objection and adopts Judge Nelson's thorough and well-reasoned R&R.

ORDER

Based on the foregoing and on all of the files, records, and proceedings herein, the Court OVERRULES Taylor's objection [Docket No. 10] and ADOPTS Judge Nelson's Report and Recommendation [Docket No. 9]. Accordingly, IT IS HEREBY ORDERED THAT:

1. Respondent's motion to dismiss [Docket No. 7] is GRANTED.
2. This case is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 3, 2009

s/Patrick J. Schiltz

Patrick J. Schiltz

United States District Judge